



MEMORANDUM

TO: The Honorable City Council

REVIEWED: Ronald H. Williams, Jr. Deputy City Manager

Leonard M. Newcomb III, CFM, Assistant Director, City Planning
CC TO: Susan Pollock Hart, CFM, Principal Planner, City Planning

FROM: George M. Homewood, AICP, CFM, Director, City Planning

Special Exception for a commercial drive-through at 132 Kempsville Road –
SUBJECT: Chartway Federal Credit Union

DATE: February 19, 2016

On the February 23, 2016 Regular Agenda, City Council will be reviewing a special exception request by Chartway Federal Credit Union (Chartway) to operate a commercial drive-through at 132 Kempsville Road on the northwest corner of Newtown Road and Kempsville Road. It is also adjacent to the western corporate boundary of the City of Virginia Beach. The former gas station site is currently zoned C-2 (Corridor Commercial), which allows the financial institution component by-right. However, the commercial drive-through requires a special exception.

This request would allow Chartway to construct a two-story banking branch with a commercial drive-through. Chartway proposes to relocate their national headquarters from the eastern side of Newtown Road in Virginia Beach to this location. According to Chartway, this branch is their busiest. Newtown Road is a six-lane road with a traffic count of 30,487 between Kempsville Road and I-264. Kempsville Road is a four-lane road with a traffic count of 21,166 between Newtown Road and Virginia Beach Boulevard. While the City Planning Commission unanimously recommends denial, staff had recommended and continues to recommend approval.

The City's general plan, *plaNorfolk2030*, identifies this site as commercial. Given its location across Kempsville Road from the Newtown Road light rail station, the site is also located within a "Transit Supportive Area," where uses that promote transit, bicycle, and pedestrian activity are encouraged and low intensity, auto-oriented uses are discouraged. Given the commercial designation, the proposed use as a financial institution with a drive-through is consistent with *plaNorfolk2030*. However, in order to be fully consistent with the plan staff suggested the site

be laid out in such a way as to encourage safe and easy pedestrian access from the adjacent light rail station.

At the same time the Transit Supportive Areas were added to *plaNorfolk2030*, two “Transit Oriented Development (TOD) Districts” were created within the *Zoning Ordinance*. At that time, staff intentionally chose not to recommend the placement of those districts on the ground anywhere in the city, leaving them available for developers who might choose to take advantage of the increased density they would provide. Since the creation of the TOD zoning districts, there have been no applications to rezone property within the city to these districts. Additionally, staff feels that those districts may need some revision as part of the overall Zoning Ordinance Rewrite to ensure that they will function properly when they are applied by developers.

The proposed site plan shows pedestrian improvements near the street intersection; a change in the pavement materials is proposed as well as a raised elevation to match that of the sidewalks. This “raised speed table paver plaza,” as depicted in the site plan, permits traffic circulation, however it would act as a traffic calming measure and provide a more connected pedestrian experience from the external sidewalks into the site than shown in the original submission.

Staff’s recommendation of **approval** is based on the following criteria:

- The proposal is consistent with the City’s adopted Future Land Use Map within *plaNorfolk2030*, as the future land use designation of this site is commercial.
- By providing additional pedestrian accommodations between the light rail station and the primary building entrance, the proposal is in consistent with the Transit Supportive Area’s goal of promoting transit usage and pedestrian activity.
- The proposal conforms to all zoning requirements of the C-2 district, including landscaping and off-street parking.

After conducting a duly advertised public hearing on January 28, 2016, at which the representative for the applicant provided comments, the City Planning Commission voted **7 to 0** to recommend **denial** of the application. This recommendation stemmed from the disagreement that the site has been designed to promote a high level of pedestrian walkability but perhaps more importantly that the drive-through use is inconsistent with the designation as a Transit Supportive Area in *plaNorfolk2030*. Based on the concerns over the building location raised by the Commission, Planning staff had recommended a continuance of this item at the public hearing, in order to allow more time for the applicant to further modify the site layout in a more pedestrian-friendly manner. However, the applicant asked for an up or down vote instead of a continuance. The Commission based its denial primarily on the perception that any commercial drive-through is inconsistent with being within a Transit Supportive Area, regardless of the building location and design of the site.

Staff contact: Chris Whitney at (757) 823-1253, chris.whitney@norfolk.gov